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**PATENT APPLICATION**

**RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE  
TECHNOLOGY CENTER ART UNIT 3762**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Keizoh KAWAGUCHI

Group Art Unit: 3762

Application No.: 09/895,178

Examiner: K. Droesch

Filed: July 2, 2001

Docket No.: 110006

For: HEART-SOUND DETECTING APPARATUS AND PULSE-WAVE-PROPAGATION-  
VELOCITY-RELATING-INFORMATION OBTAINING SYSTEM USING THE  
HEART-SOUND DETECTING APPARATUS

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RECEIVED**  
**AUG 18 2004**

In reply to the February 13, 2004, Office Action, the period for reply being extended  
by the attached Petition for Extension of Time, reconsideration of the above-identified  
application is respectfully requested.

Claims 4-7 and 9-11 are pending in this application. Applicant appreciates the Office  
Action's indication that claims 10 and 11 contain allowable subject matter.

The Office Action rejects claims 4-7 and 9 under 35 U.S.C. §102(e) over U.S.  
Publication No. 2002/0035337 to Oka. This rejection is respectfully traversed.


The subject matter asserted by the Examiner to disclose the features of claim 4 was in  
fact invented by Mr. Kawaguchi, the inventor of the instant application. Thus, Oka does not  
satisfy the requirement of being invented by another, as required in §102(e).

To establish that Mr. Kawaguchi was the inventor of the relevant features, a Declaration under 37 C.F.R. §1.132 is attached and establishes that the relevant disclosure of Oka is Mr. Kawaguchi's own work.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Michael Britton  
Registration No. 47,260

JAO:MQB/ale

Attachments:

Notice of Appeal  
Declaration under 37 C.F.R. §1.132

Date: August 13, 2004

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

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